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DEPT. OF TRANSPORTATION
FMCSA

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The Honorable Norman Mineta
Secretary, U.S. Department of Transportation
500 Seventh Street, SW
Washington, D.C. 20590

FMCSA-2001-9709-714

Re: Docket Nos. FMCSA-2001-9709 and FMCSA-2000-7382 - 745

Dear Secretary Mineta:

I am a truck driver, and a member of the International Brotherhood of Teamsters. I strongly urge you to **reconsider the rule** recently issued by the Federal Motor Carrier Safety Administration (FMCSA) (67 FR 49742), requiring States to revoke an individual's commercial drivers' license (CDL) if he/she is convicted of certain violations while operating their personal vehicles.

Under this new rule, I could lose my CDL, and therefore my job, if I am convicted of two DWI offenses or certain traffic violations, such as more than one speeding ticket (within a three-year period), while operating my personal vehicle, regardless of whether my State revokes my personal drivers' license.

With respect to the DWI offenses, each State has different laws for what happens to an individual's personal drivers license. For example, if a driver is convicted of a DWI, some states suspend their license for a year. A second conviction in some states would equate to a 3- or 5-year suspension. Under this new rule, a CDL holder would be treated differently than someone who just had a personal drivers license. Instead of 3- or 5-year suspension from a second conviction, a CDL holder would be barred from operating a CMV for his/her entire lifetime, even if the second offense occurs 15 or 20 years later. In other words, this rule goes too far. To take jobs away from commercial drivers for mistakes they make in their own personal vehicles isn't fair.

Separately, the FMCSA's new rule states that I will lose my CDL if I am convicted of certain traffic violations within a 3-year period - for example, if I receive more than one speeding ticket - while, again, operating my personal vehicle. This was clearly not the intent of Congress, which authorized the FMCSA to require the disqualification of a CDL holder's CMV driving privileges only after the person has been both convicted and has had his/her non-commercial drivers' license revoked, cancelled or suspended by the State.

Please, reconsider this rule. My job could be at stake!

Sincerely,

Randy B. Henderson
Member, Teamster Local 726

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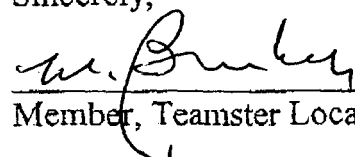
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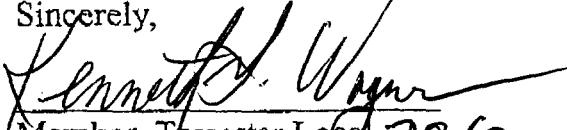
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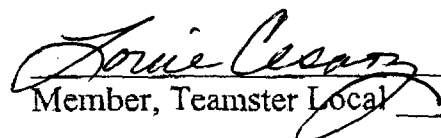
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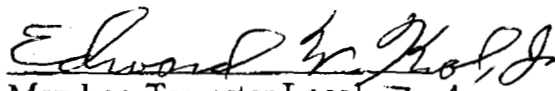
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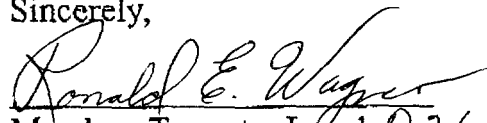
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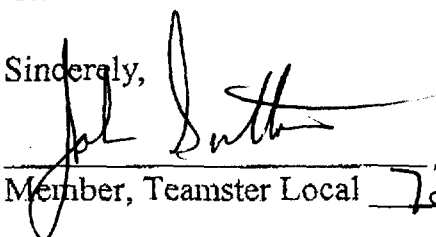
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